IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 685 OF 2005

Shri Vimalkumar S. Parekh .. Petitioner

Vs.

Shri Iqbal Babu Shaikh & Anr. ... Respondents

Shri P.J.Pawar for the petitioner.

Miss Leena Patil for Respondent No.1.

Mrs. S.V.Gajare,APP, for State.

CORAM: S.K.SHAH,J.

DATE : 17th October,2006

P.C.

1. This Application has been filed challenging the order passed by the Magistrate requiring the petitioner to produce the truck given to him. This order came to be passed because the respodnent alleged that the petitioner has sold the property. The petitioner filed revisiion which also came to be dismissed by order dated 10th December, 2004. Against that dismissal of revision, the present Application is filed.

2. I have heard learned counsel for the applicant.

Against respondent No.1, charge-sheet has been filed for the offence punishable under section 379 of Cr.P.C. Pending trial, the petitiioner, who is the owner of the property had executed a bond subject to the respondent No.1 informing the Court that the petitioner has sold the property. As such, the Court passed the order requiring the petitioner to produce the truck. He asked for extension of time which came to be rejected and the respondent requiring the petitioner to produce the truck.

3. I do not find any merit in the Appication as there is no illegality or impropriety in the order of the Magistrate.

4. The Application is, therefore, dismissed. The petitioner shall produce the truck before the Magistrate as directed by him within four weeks from today.

(S.K.SHAH,J.)